

MINUTES OF THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

CR-08-00014

April 25, 2008
1:45 p.m.

**UNITED STATES OF AMERICA -vs- GREGGORY SABLAN KALEN, LAWRENCE
SABLAN KALEN AND MANNY ALDAN SABLAN**

PRESENT: HON. ALEX R. MUNSON, CHIEF JUDGE PRESIDING
K. LYNN LEMIEUX, COURTROOM DEPUTY
SANAE SHMULL, COURT REPORTER
ERIC O'MALLEY, ASSISTANT U.S. ATTORNEY
F. MATTHEW SMITH, ATTORNEY
GREGGORY SABLAN KALEN, DEFENDANT
BRUCE BERLINE, ATTORNEY
LAWRENCE SABLAN KALEN, DEFENDANT
DAVID BANES, ATTORNEY
MANUEL ALDAN SABLAN, DEFENDANT

PROCEEDINGS: INITIAL APPEARANCE AND/OR ARRAIGNMENT

Defendant **GREGGORY SABLAN KALEN** appeared with court appointed counsel, Attorney F. Matthew Smith. Government was represented by Eric O'Malley, AUSA.

Court, after review of the defendant's financial affidavit, found that the defendant did qualify for court appointed counsel and appointed Attorney F. Matthew Smith nunc pro tunc.

Defense stated that they were ready to proceed with the Arraignment.

Defendant was sworn and advised of his constitutional rights.

Defendant waived reading of the indictment and pled **NOT GUILTY** to the charges against him. Court set jury trial for **June 30, 2008 at 9:00 a.m.** Pretrial motions shall be filed by **May 9, 2008.**

Court set "no bail" at this time. Attorney Smith argued for bail. Court denied the motion. Defendant was remanded back into the custody of the U.S. Marshal.

1:50 p.m.

Defendant **LAWRENCE SABLAN KALEN** appeared with counsel, Attorney Bruce Berline. Government was represented by Eric O'Malley, AUSA.

Court, after review of the defendant's financial affidavit, found that the defendant did qualify for court appointed counsel and appointed Attorney Bruce Berline nunc pro tunc.

Defense stated that they were ready to proceed with the Arraignment.

Defendant was sworn and advised of his constitutional rights and his right to contact the FSM Consulate.

Defendant waived reading of the indictment and pled **NOT GUILTY** to the charges against him. Court set jury trial for **June 30, 2008 at 9:00 a.m.** Pretrial motions shall be filed by **May 9, 2008.**

Government moved for "no bail" at this time. Attorney Berline moved to revisit the matter of bail at another time. Court ordered "no bail" and remanded the defendant back into the custody of the U.S. Marshal.

2:00 p.m.

Court recalled defendant Gregory Sablan Kalen. Attorney Smith was present.

Court inquired of Mr. Kalen as to whether he was a US citizen or a citizen of FSM . He responded that he was a citizen of the United States.

Attorney Smith moved to revisit the matter of bail at a later time. Court so ordered

Defendant was remanded back into the custody of the U.S. Marshal.

2:05 p.m

Defendant **MANUEL ALDAN SABLAN** appeared with counsel, Attorney David Banes. Government was represented by Eric O'Malley, AUSA.

Court, after review of the defendant's financial affidavit, found that the defendant did qualify for court appointed counsel and appointed Attorney David Banes nunc pro tunc.

Defense stated that they were ready to proceed with the Arraignment.

Defendant was sworn and advised of his constitutional rights.

Defendant waived reading of the indictment and pled **NOT GUILTY** to the charges against him. Court set jury trial for **June 30, 2008 at 9:00 a.m.** Pretrial motions shall be filed by **May 9,**

2008.

Government moved for “no bail” at this time. Defense moved to revisit the matter of bail at a later time. Court so ordered. Court ordered “no bail” and remanded the defendant back into the custody of the U.S. Marshal.

Adj. 2:10 p.m.

/s/K. Lynn Lemieux, Courtroom Deputy